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No. 84-550

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IN THE
Supreme Court of the United States
OCTOBER TERM, 1984

INTERSTATE COMMERCE COMMISSION,
Petitioner,
v.
BRAE CORPORATION, *et al.,*
Respondents.

On Petition For A Writ Of Certiorari To The United States
Court Of Appeals For The District Of Columbia Circuit

**MEMORANDUM OF
CONSOLIDATED RAIL CORPORATION**

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Consolidated Rail Corporation ("Conrail") has filed a petition for a writ of certiorari (No. 84-867) seeking review of the same court of appeals' judgment of which review is sought by the instant petition of the Interstate Commerce Commission ("ICC"). Although the questions presented are stated somewhat differently in the two petitions, Conrail supports the ICC's petition and believes that the two petitions are consistent and in substance present or encompass the same questions.

Accordingly, for the reasons stated in the ICC's petition and in Conrail's petition, the ICC's petition for a writ of certiorari should be granted.

Respectfully submitted,

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